

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 24TH JULY 2007 / 2ND SRAVANA 1929

WP(C).No. 21563 of 2007(P)

PETITIONER:

SWAMI NATHAN, S/O.LATE KUNJUNNI.K.
KORUKUNNATH HOUSE, PURATHOOR P.O.,
MALAPPURAM DISTRICT.

BY ADV. SRI.DILIP MOHAN

RESPONDENTS:

1. THE DISTRICT COLLECTOR, MALAPPURAM.
2. THE REVENUE DIVISIONAL OFFICER,
PERINTHALMANNA.

BY GOVT. PLEADER SRI.M.R.SABU.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO. 21563 OF 2007 - P

Dated this the 24th day of July, 2007

J U D G M E N T

The petitioner's vehicle bearing Registration No.KL 10/Z 428 was seized on allegation of illegal transportation of river sand. The contention of the petitioner is that although the vehicle was seized on 10.6.2007, no final orders have been passed by the first respondent. Therefore, the petitioner seeks interim custody of the vehicle pending finalisation of the proceedings by the first respondent.

2. I have heard the learned Government Pleader also.

3. In the facts and circumstances of the case, there would be a direction to the first respondent to release the vehicle on the petitioner depositing an amount of Rs.25,000/- (Rupees twenty five thousand only) and furnishing proof of ownership of the vehicle. This is subject to further condition that the petitioner shall not alienate or otherwise part with possession of the vehicle

till final orders are passed by the first respondent.

4. I also note the contentions of the petitioner that the registered owner of the vehicle has expired, the petitioner is his son and he is claiming release of the vehicle in his capacity as the legal heir of the registered owner.

The writ petition is disposed of as above.

**S. SIRI JAGAN,
Judge**

Mbs/

WP(C) NO.21563 of 2007

:-3:-

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

WP(C) NO.21563 of 2007

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DATED:01-06-2007